

g



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/816,838 | 03/23/2001 | Peggy M. Stumer | 2001P05291US | 6909 |

7590 10/11/2002

Siemens Corporation
Attn: Elsa keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2643

DATE MAILED: 10/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

g

Office Action Summary

Application No.
09/816,838

Applicant(s)
Peggy M. Stumer et al.

Examiner
Melur. Ramakrishnaiah

Art Unit
2643



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jul 30, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-11, and 13-18 is/are rejected.
- 7) ☒ Claim(s) 3 and 12 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 9 6) ☐ Other: _____

Art Unit: 2643

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 7, 9, 10-11, 16, 18, are rejected under 35 U.S.C 102(b) as being anticipated by Compton et al. (US PAT: 4,924,491, hereinafter Compton).

Regarding claim 1, Compton discloses a method for transmitting an emergency location identification number (ELIN) and/or callback number after an emergency call goes on-hook, the method comprising the steps of: upon initiation of emergency call, storing ELIN and/or callback number in a buffer (fig. 1, col. 4 lines 6-12), upon detecting an on-hook event (this is implied in as much as the call is abandoned), transmitting the ELIN and/or callback number from the buffer (col. 5 lines 10-30, lines 55-68, col. 6 lines 1-15).

Regarding claim 10, Compton further teaches an apparatus for transmitting an emergency location identification (ELIN) and /or callback number after an emergency call goes on-hook, the apparatus comprising: storage means for storing an (ELIN) and /or callback number upon initiation of emergency call (fig. 1, col. 4 lines 6-12, col. 5 lines 55-62), transmitting means coupled to the storage means for transmitting the stored (ELIN) and /or callback number upon detecting an on-hook event (col. 5 lines 10-30, lines 55-68, col. 6 lines 1-15).

Art Unit: 2643

Regarding claims 2, 7, 9, 11, 16, 18, Compton further teaches the following: step of disconnecting the emergency call after the step of transmitting (col. 4 lines 55-62), step of transmitting over a private network and/or public network is accomplished via DTMF signaling (col. 3 lines 58-65), step of disconnecting is accomplished via trunk release (col. 4 lines 60-62).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 6, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Compton in view Matsuura (JP410210171A).

Regarding claims 4, 6, 13, and 15, Compton does not teach the following: step of transmitting to the public network is accomplished via ISDN SETUP message, step of disconnecting is accomplished via an ISDN DISCONNECT message.

However, Matsuura discloses ISDN data terminal equipment which teaches the following: step of transmitting to the public network is accomplished via ISDN SETUP message, step of disconnecting is accomplished via an ISDN DISCONNECT message (fig. 1, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Compton to provide for the following: step of transmitting to the public

Art Unit: 2643

network is accomplished via ISDN SETUP message, step of disconnecting is accomplished via an ISDN DISCONNECT message as these are well known protocols in ISDN system to be provide for, thus enhancing the application capability.

5. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Compton in view of Israelsson (US PAT: 6,301,483 B1, filed 11-10-1998).

Regarding claims 5 and 14, Compton does not teach the following: transmitting is accomplished over a private network via QSIG ISDN SETUP message signaling.

However, Israelsson discloses device network and methods concerning cordless communication which teaches the following: transmitting is accomplished over a private network via QSIG ISDN SETUP message signaling (col. 7 lines 29-32).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Compton to provide for the following: transmitting is accomplished over a private network via QSIG ISDN SETUP message signaling as these are well known protocols used in the communication system and provide for, thus enhancing the application capability.

6. Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Compton in view of Tanaka et al. (US PAT: 6,243,442B1, filed 12-19-1997, hereinafter Tanaka).

Regarding claims 8 and 17, Compton does not teach the following: transmitting is accomplished via CAMA trunk type signaling.

However, Tanaka discloses telephone exchange apparatus which teaches the following: transmitting is accomplished via CAMA trunk type signaling (col. 8 lines 66-67, col. 9 lines 1-14).

Art Unit: 2643

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Compton to provide for the following: transmitting is accomplished via CAMA trunk type signaling as this arrangement would provide redundancy for transmitting emergency calls as taught by Tanaka.

7. Claims 3 and 12, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on Monday to Friday from 7 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Art Unit: 2643

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).


Melur. Ramakrishnaiah

PRIMARY EXAMINER

Art Unit 2643.